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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,629	04/09/2004	Kishore Swaminathan	10022/436	8930

28164 7590 05/08/2007
ACCENTURE CHICAGO 28164
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P O BOX 10395
CHICAGO, IL 60610

EXAMINER

NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
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2161

MAIL DATE	DELIVERY MODE
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05/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/821,629

Applicant(s)

SWAMINATHAN ET AL.

Examiner

CamLinh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/9/04; 3/23; 6/7/05.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 4/9/04 (in part), 3/23/05, and 6/7/05 are in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP §600.

Accordingly, the information disclosure statement is being considered by the examiner.

2. The information disclosure statement filed 4/9/09 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

3. The information disclosure statement filed 4/9/04 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because there is no copy of each non-patent literature publication. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Double Patenting

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or

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improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claims 19 – 50 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 - 27 of U.S. Patent No. 6,721,726. Although the conflicting claims are not identical, they are not patentably distinct from each other because: the subject matter claimed in the instant application '629 is covered by the patent No. 6,721,726. It

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would have been obvious to one with ordinary skill in the art at the time the invention was made to broaden the claim at no additional cost.

The following table shows the some claims in '629 that are rejected by corresponding claims in '726

Claims comparison table

	'629	'726
claims	19	1
	20	1
	21	1
	22	14
	23	9
	24	15

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 43 – 47 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 43 - 47 are rejected as non- statutory. This can be interpreted as being software per se. The units described admit of software in the absence of computer hardware for executing units of executable programs stored on computer readable media.

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8. To expedite a complete examination of the instant application the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of application amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 19 – 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al (U.S. 6,029,141) in view of Zawadzki et al (U.S. 7,107,268 B1).

♦ As per claims 19, 43, 48,

Bezos discloses a method for managing data across an enterprise, comprising the steps of:

- “Receiving a search text” corresponds to the command (A) that the user in the customer computer (108) send to the associated web site (Server 100) (See Fig. 5
- “Receiving a user selection of a category from a plurality of displayed categories of information” See Fig. 5, event C when the customer clicks on hyperlink from a “plurality of displayed categories of information” (Fig. 3a).
- “Searching for and identifying data files containing the search text and having a stored association with the selected category” See Fig. 5, event D

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- “Retrieving and displaying a first set of items representative of identified data files” See Fig. 8. Fig. 8 is the first set of items.
- “Allowing the user to select an item from the first set of items” corresponds to the command when the user clicks on the icon or image on Fig. 9.
- “Retrieving and displaying a second set of items representative of data files having a content-based relationship to a data file associated with the selected item” See Fig. 6 since the content in Fig. 6 is the detail of Fig. 8.

Bezos does not clearly disclose:

- “And displaying links between the selected item and the second set of items according to content-based relationships the selected item has to the second set of items”

However, Zawadzki, on the other hand, discloses a method for managing enterprise operation including a project management server comprising project management objects which can be any type (See the abstract of Zawadzki). Zawadzki teaches a project can be displayed in a tree format (see abstract, Fig. 12 – 13, 16 – 22). Clearly, Zawadzki discloses a system that “displaying links between the selected item and the second set of items according to content-based relationships the selected item has to the second set of items” as claimed in the instant application.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Zawadzki into the invention of Bezos because: both invention was available at that time and in the same field of endeavor; the interface in the tree format would provide the user more clearly viewing and easier in searching for information.

♦ As per claims 20, 44, the combination of Bezos and Zawadzki disclose:

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- “Wherein the first set of items or the second set of items are arranged in at least one category not selected by the user” See Fig. 12 of Zawadzki wherein the user can select project as the first set of item, and the second set of item can be task which is not selected by the user.
- ♦ As per claims 21, 45, the combination of Bezos and Zawadzki disclose:
 - “Wherein the links are displayed in a graphical image” col. 11, lines 50 – 52 of Bezos.
- ♦ As per claim 22, the combination of Bezos and Zawadzki disclose:
 - “Wherein the links are hyperlinks and data files associated with the second set of items are retrieved by activating the hyperlinks” See col. 11, lines 43 – 62 of Bezos.
- ♦ As per claim 23, the combination of Bezos and Zawadzki disclose:
 - “Wherein the first item set or the second item set are arranged in nodes in a tree format, and a portion of the items are hyperlinked to detailed views of the data files” See claim 1 for tree format, and col. 11, lines 43 – 62 of Bezos for viewing details.
- ♦ As per claims 24, 42, 46, 50, the combination of Bezos and Zawadzki disclose:
 - “Further comprising a step of generating a chart showing at least one of relationships and statistics concerning the first or second set of items” See Fig. 17 – 28 of Zawadzki.
- ♦ As per claims 25, 47, the combination of Bezos and Zawadzki disclose:
 - “Wherein the plurality of displayed categories comprise a person, a document, a client, a topic and a project” See Fig. 17 of Zawadzki.
- ♦ As per claims 26, 49, the combination of Bezos and Zawadzki disclose:
 - “Wherein if the category selected is a person, then the second set of items represents data files relating to at least one of clients, topics, documents, and projects having stored

associations with the person associated with the selected item” Bezos discloses a system that the user can select author for searching (Fig. 8). If the user selects the author name, then all the documents should be retrieved for the user.

◆ As per claim 27, the combination of Bezos and Zawadzki disclose:

- “Further comprising selecting a second category as part of the request for information for limiting the results of the search, wherein the second category is different from the first category and the second category is selected from three predefined categories” See claim 26. After documents are retrieved, the user can select a particular document for further limiting the result such as select a book in Fig. 6.

◆ As per claim 28, the combination of Bezos and Zawadzki disclose:

- “Wherein the first set of items and the second set of items comprise icons representative of the categories associated with the represented data files” See Fig. 8, wherein the host web site includes an icon and the book also includes another icon.

◆ As per claims 29 - 32, 36, the combination of Bezos and Zawadzki disclose:

- “Wherein if the search text is a name of a client, and the category selection is of an industry, then the first set of items are grouped in categories of people, documents and projects” and “wherein the search results in the people category are arranged according to the number of documents and projects a person has produced related to an industry and client, and wherein the search results of the document and project categories are arranged according to relationships of the documents or projects to the client and industry selected” See Fig. 17 – 28 of Zawadzki.

◆ As per claim 33, the combination of Bezos and Zawadzki disclose:

- “Wherein displaying the first or second set of items further comprises displaying a numerical value representing a total number of items retrieved in a category” See Fig. 17 – 18 of Zawadzki.
- ◆ As per claim 34, the combination of Bezos and Zawadzki disclose:
 - “Wherein the selected item is hyperlinked, and further comprising adding the selected item to a history list” See col. 35, line 40 – 41 of Zawadzki.
- ◆ As per claim 35, the combination of Bezos and Zawadzki disclose:
 - “Further comprising saving items from the first set or the second set in a bookmark list” see col. 17, line 45 – 47 of Bezos.
- ◆ As per claim 37, the combination of Bezos and Zawadzki disclose:
 - “Wherein the step of searching for and identifying data files is conducted among data repositories of the enterprise” An individual or company can register as associates (col.6, line 21 – 24, Bezos), and an they are can provide same services as two authors in the same cooking area (see fig. 10b). Each associate has corresponding web site and its database to store information about its products. Therefore, if there are two companies or individuals have the same service area, the request will be searched in at least two different databases.
- ◆ As per claim 38, the combination of Bezos and Zawadzki disclose:
 - “Wherein the step of receiving a user selection of a category is accomplished with a drop-down menu” See claim 42 of Bezos or col.8, lines 49 – 50 of Zawadzki.
- ◆ As per claim 39, the combination of Bezos and Zawadzki disclose:

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- “Wherein the links are displayed in nodes arranged in a hierarchical tree” See claim 1 for tree structure.
- ◆ As per claim 40, the combination of Bezos and Zawadzki disclose:
 - “Further comprising after the step of displaying, automatically searching data sources of the enterprise for and displaying user-specified information” see Fig. 10 a – 10c of Bezos.
- ◆ As per claim 41, the combination of Bezos and Zawadzki disclose:
 - “Wherein the plurality of displayed categories comprise vendor, supplier, and component” See Fig. 8 of Bezos wherein the vendor can be Amazon.com, supplier can be the author and the component is the book/documents.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kilmer et al (U.S. 6,078,326) discloses a system and method providing centrality user environment.
- Raja Tuli (U.S. 6,003,034) discloses a method for linking of multiple icons to data units.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272 - 4024.

The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272 - 4080. The fax phone number for the organization where this application or proceeding is assigned is 571 - 273 - 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nguyen, Cam-Linh

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A handwritten signature in black ink, appearing to read 'Nguyen Cam-Linh', written over a horizontal line.

LN